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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,684

09/08/2006

Serge Kurowski

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EXAMINER

WOOD, KIMBERLY T

ART UNIT

PAPER NUMBER

3632

NOTIFICATION DATE

DELIVERY MODE

08/04/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sughrue@sughrue.com  
PPROCESSING@SUGHRUE.COM  
USPTO@SUGHRUE.COM

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,684	<b>Applicant(s)</b> KUROWSKI, SERGE	
	<b>Examiner</b> KIMBERLY WOOD	<b>Art Unit</b> 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 4,5 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-9,11 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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This is an office action for serial number 10/598,684.

***Election/Restrictions***

Claims 4, 5, and 10 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on February 24, 2010.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 6-9, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee KR2003048879A in view of Black 2,987,752. Lee discloses device supporting a rotating frame (10) a filtration installation with filtration cells comprising at least on support roller (44). Lee disclose all of the limitations of the claimed invention except for the support

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roller having a fixed bearing comprising a first arm and second arm. Black teaches that it is known to have a support roller (13) having a pivoting axis (28) and a fixed bearing comprising a first arm (19) and a second arm (18); first arm (19) and said second arm (18) have independently of each other a first bending state and a second bending state, and in that according to forces applied to the support roller (13) by the rotating frame (1), the first arm (19) passes from its first bending state to-a its second bending state and passes from its second bending state to its first bending state independently of a bending state of the second arm (18), and respectively the second arm (18) passes from its first bending state to its second bending state passes from its second bending state to its first bending state independently of a bending state of the first arm; characterized in that the support roller (2) is cylindrical; characterized in that each of the arms (18 and 19) of said fixed bearing has a first end fixed to a base (12 and 16) and a second end that carries said support roller (13) and that is situated at a distance from the base depending on, said forces applied to the roller; characterized in that each arm (18 and 19) of said fixed bearing (11) has a horizontal U-shape, the first end and the second end of which move closer together or further apart to depending on the forces applied to the support

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roller (13); each arm (18 and 19) the fixed bearing is a flexible cantilever arm that at one end is connected fixedly to a base and at an opposite end carries one of said the support roller in a flexible manner; each arm (18 and 19) of the fixed bearing carries the support roller (13) so as to allow a vertical downward movement of the pivot axis (3) in an amount 2 mm; the pivot axis (28) of the support roller(13) is horizontal in the first bending state each arm (18 and 19) of the fixed bearing and in that arm (18 and 19) of the fixed bearing carries the support roller (13) so as to allow a tilting of the pivot axis in an amount of 2 degrees from the horizontal; characterized in that the support roller comprises a central roller bearing allowing its pivoting about said pivot axis. It would have been obvious to one having ordinary skill in the art to have modified Lee to have included the support roller as taught by Black for the purpose of providing a support roller capable of reduces the intensity of shock loads transmitted to the connection between the bearing and the support roller therefore reducing wear and tear to the support roller therefore reducing the frequency of replacement. Lee in view of Black discloses all of the limitations of the claimed invention except for the roller being made of tire made from cast iron, steel or a synthetic material.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to made of tire made from cast iron, steel or a synthetic material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. (as suggested in paragraph 4, lines 39 of Black).

Claims 1-3, 6-9, 11, 12 rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's specification prior art (page 1 lines 15-24). The applicant's prior art discloses Filtration devices with filtration cells disposed on a carousel, the cells in these installations are supported by a rotating frame generally comprising two rings each formed from several rails arranged one behind the other in a circular manner, these rings resting on support rollers; characterized in that the roller is provided with a tire made from cast iron, steel or a synthetic material (page 2, lines 1-5). The applicant's prior art discloses all of the limitations of the claimed invention except for the support roller having a fixed bearing comprising a first arm and second arm. Black teaches that it is known to have a support roller (13) having a pivoting

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axis (28) and a fixed bearing comprising a first arm (19) and a second arm (18); first arm (19) and said second arm (18) have independently of each other a first bending state and a second bending state, and in that according to forces applied to the support roller (13) by the rotating frame (1), the first arm (19) passes from its first bending state to-a its second bending state and passes from its second bending state to its first bending state independently of a bending state of the second arm (18), and respectively the second arm (18) passes from its first bending state to its second bending state passes from its second bending state to its first bending state independently of a bending state of the first arm; characterized in that the support roller (2) is cylindrical; characterized in that each of the arms (18 and 19) of said fixed bearing has a first end fixed to a base (12 and 16) and a second end that carries said support roller (13) and that is situated at a distance from the base depending on, said forces applied to the roller; characterized in that each arm (18 and 19) of said fixed bearing (11) has a horizontal U-shape, the first end and the second end of which move closer together or further apart to depending on the forces applied to the support roller (13); each arm (18 and 19) the fixed bearing is a flexible cantilever arm that at one end is connected fixedly to a base and at an opposite end

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carries one of said the support roller in a flexible manner; each arm (18 and 19) of the fixed bearing carries the support roller (13) so as to allow a vertical downward movement of the pivot axis (3) in an amount 2 mm; the pivot axis (28) of the support roller(13) is horizontal in the first bending state each arm (18 and 19) of the fixed bearing and in that arm (18 and 19) of the fixed bearing carries the support roller (13) so as to allow a tilting of the pivot axis in an amount of 2 degrees from the horizontal; characterized in that the support roller comprises a central roller bearing allowing its pivoting about said pivot axis. It would have been obvious to one having ordinary skill in the art to have modified Lee to have included the support roller as taught by Black for the purpose of providing a support roller capable of reduces the intensity of shock loads transmitted to the connection between the bearing and the support roller therefore reducing wear and tear to the support roller therefore reducing the frequently of replacement. The applicant's prior art in view of Black discloses all of the limitations of the claimed invention except for the roller being made of tire made from cast iron, steel or a synthetic material. It would have been obvious to one having ordinary skill in the art at the time the invention was made to made of tire made from cast iron, steel or a synthetic material, since it has been held



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to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. (as suggested in paragraph 4, lines 39 of Black).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art discloses conventional support rollers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMBERLY WOOD whose telephone number is (571)272-6826. The examiner can normally be reached on Monday-Thursday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell Mckinnon can be reached on 571-272-4797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kimberly T. Wood  
Kimberly T. Wood  
Primary Examiner  
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July 31, 2011

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